

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2013-02

**ESTABLISHING THE GOVERNOR'S LEADERSHIP IN NUCLEAR
ENERGY (LINE) COMMISSION 2.0**

WHEREAS, Executive Order 2012-01 established the Governor's Leadership in Nuclear Energy Commission (LINE I) to make recommendations to the Governor on policies and actions of the State of Idaho to support and enhance the long-term viability and mission relevance of the Idaho National Laboratory (INL); and

WHEREAS, LINE I recently completed its nearly year-long intensive look at the benefits and burdens of Idaho's hosting of the INL and the broader nuclear industries sector; and concluded the State should take immediate and long-term steps to enhance the future of the INL as the nation's lead nuclear research and development laboratory; and

WHEREAS, LINE I brought to light a number of other findings, made six recommendations and urged more than a dozen immediate actions, which require ongoing management and oversight; and

WHEREAS, one of those findings stressed that safety and environmental protection are non-negotiable and, to this end, encouraged the State of Idaho's cooperation with the U.S. Department of Energy (DOE) to ensure the continuation of the highly successful cleanup program at the Idaho site that has delivered on 99 percent of enforceable milestones to date; and

WHEREAS, LINE I emphasized the federal government's decision to discontinue development of the Yucca Mountain repository demands the State's attention as that decision may significantly impair DOE's ability to meet certain future cleanup milestones pursuant to the 1995 Settlement Agreement; and

WHEREAS, through the efforts of LINE I, it was made clear that a number of states are aggressively pursuing a wide range of nuclear energy research and nuclear materials management activities either currently conducted at the INL or that could potentially be sited in Idaho in the future. The loss of these high value, national priority nuclear research missions to other states would not only seriously endanger the future of the INL but, by extension, Idaho's economic interests; and

WHEREAS, based on these findings, LINE I recommended the State of Idaho exercise leadership by forming a standing nuclear advisory council to: (1) ensure the continued vitality of the INL and Idaho's growing nuclear industries sector; and (2) advance the position that in the interests of fiscal responsibility in these trying financial times the public is best served by maximizing use of existing assets, rather than the costly replication of such assets elsewhere; and

WHEREAS, in recognition of the outstanding efforts of LINE I, and not wanting to lose valuable institutional knowledge, the standing nuclear council recommendation would be best accomplished through an extension of LINE I – namely, the establishment of the Governor's Leadership in Nuclear Energy Commission 2.0 (LINE II).

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of the State of Idaho do hereby create the Leadership in Nuclear Energy Commission 2.0 (LINE II).

1. LINE II is to:

- A. Monitor and provide counsel on implementation of the recommendations and actions submitted by LINE I to ensure the unique research capabilities of the INL continue to play an important role in Idaho's economic growth and the nation's energy security;*
- B. Track and assess the activities of the U.S. Congress, DOE and other states with significant nuclear energy research and operations interests to advance and preserve Idaho's and the INL's interests;*

- C. *Identify and recommend appropriate pre-emptive/preparatory actions relative to looming federal budget and policy decisions that could have negative implications for long-term INL operations, including advising on the propriety of partnering with other states for mutual benefit;*
 - D. *Identify additional opportunities and investments that can be made in the Center for Advanced Energy Studies, Idaho's universities and general research, transportation and communications infrastructure in furtherance of the mission of the INL;*
 - E. *Provide a means or mechanism to enable a continued robust and open dialogue with the public on the INL, Idaho's broader nuclear industries sector and Commission activities; and*
 - F. *Evaluate policy options for strengthening the broader nuclear industries sector in Idaho.*
2. *The duties of LINE II are solely advisory in nature.*
3. *The members of LINE II shall be appointed by and serve at the pleasure of the Governor. Members will include, but are not limited to:*
- A. *A representative of State government;*
 - B. *A representative from the universities of the State;*
 - C. *A representative from the Idaho House of Representatives;*
 - D. *A representative from the Idaho Senate;*
 - E. *A mayor or county commissioner;*
 - F. *A representative of the current R&D contractor at the INL;*
 - G. *A representative from a private-sector nuclear industries company; and*
 - H. *A member of the public.*
4. *The Governor will appoint the chair or co-chairs of LINE II.*
5. *The Office of the Governor will staff LINE II.*
6. *LINE II may request consultation, information and technical expertise from directors or their designees of State of Idaho agencies regarding environmental requirements, State natural resources, transportation, emergency response and law enforcement issues.*
7. *LINE II may request comments, information and technical expertise from the American Indian tribes of Idaho, federal agencies, representatives from the nuclear industries sector, and members of the public.*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 6th day of March in the year of our Lord two thousand and thirteen and of the Independence of the United States of America the two hundred thirty-seventh and of the Statehood of Idaho the one hundred twenty-third.

C.L. "BUTCH"
OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE